

JACKSON LEWIS P.C.
CAROLYN G. BURNETTE (SBN 191294)
SANDER VAN DER HEIDE (SBN 267618)
400 Capitol Mall, Suite 1600
Sacramento, California 95814
Telephone: (916) 341-0404
Facsimile: (916) 341-0141
E-mail: *carolyn.burnette@jacksonlewis.com*
sander.vanderheide@jacksonlewis.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JASON CRAIG and MICHAEL ROSS,
individually and on behalf of all similarly
situated current and former employees,

Plaintiffs,

v.

CORTEVA, INC., E.I. DU POINT DE
NEMOURS & COMPANY, DOW
AGROSCIENCES LLC, THE DOW
CHEMICAL CO., DOWDUPONT, INC. n/k/a
DUPONT DE NEMOURS, INC., DOW INC.,
and DOES 1 through 10, inclusive,

Defendants.

Case No. 3:19-CV-07923-JCS

**DEFENDANTS DOW AGROSCIENCES
LLC AND THE DOW CHEMICAL CO.'S
REQUEST FOR TELEPHONIC
APPEARANCE AT CASE
MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER**

Date: March 6, 2020
Time: 2:00 p.m.
Ctroom.: G – 15th Floor
Judge: Hon. Joseph C. Spero,
Chief Magistrate Judge

Complaint Filed: 12/03/19
Trial Date: TBA

DOW AGROSCIENCES LLC and THE DOW CHEMICAL CO. (“Defendants”) respectfully request that lead trial counsel, Nathan W. Austin, be permitted to appear telephonically at the initial Case Management Conference to be held in this case on March 6, 2020 at 2:00 p.m. in Courtroom G. Mr. Austin is based in Sacramento and will be in Los Angeles on March 5-6, 2020 for a firm summit that was scheduled after the Court made its initial order. Jackson Lewis executives organized this meeting for critical strategic reasons, and all firm principals based in California are required to participate. Mr. Austin will be in Los Angeles the

three days preceding the Case Management Conference, as he will be speaking twice at the firm's annual Corporate Counsel Conference. This conference is the firm's marquee event for key clients. As a California specialist in class actions such as the case pending here, Mr. Austin is invaluable to both events. Personal attendance at the Case Management Conference would be a hardship as it would preclude Mr. Austin from participating in the summit discussions and would require a disruptive change in scheduling.

In the alternative or in conjunction with a phone appearance by Mr. Austin, Defendants respectfully request the Court's permission to have senior associate Sander van der Heide personally appear at the initial Case Management Conference. Mr. van der Heide is an experienced attorney who specializes in class actions; he has been practicing for 10 years. Mr. van der Heide has in-depth familiarity with all aspects of this case and has been intimately involved with this litigation since its inception. Mr. van der Heide will be authorized and fully prepared to make any necessary representations and/or stipulations regarding scheduling, should the Court grant this request.

Dated: February 28, 2020

JACKSON LEWIS P.C.

By: /s/ Carolyn G. Burnette
Carolyn G. Burnette
Sander van der Heide

Attorneys for Defendants

~~[PROPOSED]~~ ORDER

Having read Defendants Request for Telephonic Appearance, the Court finds good cause exists. The Court therefore orders that:

 X Nathan W. Austin, lead trial counsel for Defendants, may appear telephonically on March 6, 2020 at 2:00 p.m. for the initial Case Management Conference in this matter. Mr. Austin shall make arrangements through CourtCall.

Or alternatively,

1 _____ Nathan W. Austin, lead trial counsel for Defendants, may appear telephonically
2 on March 6, 2020 at 2:00 p.m. for the initial Case Management Conference in this matter. Sander
3 van der Heide shall also appear in person.

4 Or alternatively,

5 _____ Sander van der Heide, may personally appear on March 6, 2020 at 2:00 p.m. for
6 the initial Case Management Conference in lieu of lead trial counsel.

7 **IT IS SO ORDERED. AS MODIFIED.**

8 Dated: March 3, 2020


The Honorable Joseph C. Spero
Chief Magistrate Judge